

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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DIONNE LEE

Plaintiff

RICHARD K. BAWUAH and
COWAN EQUIPMENT LEASING

Civil Action No. 07-cv-9917

Defendants

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**CERTIFICATION
OF COUNSEL**

Jeffrey A. Segal, Esquire, an attorney duly admitted to practice law before the applicable Courts of the State of New York, hereby affirms the truth of the following, under the penalties of perjury:

1. I am a partner of Rawle & Henderson LLP, attorneys for the defendants, Richard K. Bawuah and Cowan Equipment Leasing, and as such I am fully familiar with the facts and circumstances herein.
2. This action arises out of a motor vehicle accident that occurred on the eastbound, Upper Level of the George Washington Bridge at approximately 12:40 a.m. on Monday, May 9, 2007.
3. The nature and extent of plaintiff's alleged injuries is disputed.
4. By letter dated April 14, 2008 plaintiff's counsel identified Dr. Mitchell Zeren, M.D as an expert in this matter. (See Exhibit "A").
5. Thereafter, by letter dated May 6, 2008, plaintiff's counsel again identified Drs. Mitchell Zeren, Adren M. Kaisman and Ramesh Babu, as ". . . a complete list of expert witness[es]" (*sic*, See Exhibit "B").

6. Notably, Aric Hausknecht, M.D. was never identified as an expert witness. (Exhibits "A" and "B").

7. Not only has Plaintiff's counsel failed to name Dr. Hausknecht as an expert witness, he has also failed to furnished any expert disclosures for Dr. Hausknecht as mandated by Fed. Rule 26a(2)(B)i-vi.

8. Lastly, at the June 10, 2008 status conference before Your Honor, plaintiff's counsel represented that he did not require any extensions of the discovery deadlines. Therefore, the deadline for the exchange of expert reports has elapsed. This motion is necessary, because counsel for plaintiff has attempted to add Dr. Hausknecht's name to the proposed Joint Pretrial Order as an expert.

9. Therefore, defendants herein request an Order Excluding the testimony of Aric Hausknecht, M.D. as a medical expert at trial.

RAWLE & HENDERSON LLP

By:

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Dated: July 15, 2008